

ATTACHMENT #31(A)

**CALIFORNIA'S INTERNATIONAL
REGISTRATION PLAN INFORMATION**

(13 Pages)

Van Etten Gary

From: Balbiani, Mario [MBalbiani@DMV.CA.gov]
Sent: Thursday, January 31, 2008 3:10 PM
To: Van Etten Gary
Subject: Procedures for Imported Vehicles

Gary,
 If this doesn't give you what you are looking for, let me know

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10.110 Imported Vehicles (H&SC §§43203.5 and 44200 – 44210)

Emission Standards— Vehicles, including motorcycles and diesel-powered vehicles, are manufactured to meet one of the following emission standards:

- **California Vehicles**—Manufactured and certified to meet California emission standards and intended for first sale in California. New and used California vehicles may be registered regardless of odometer mileage.
- **Direct Import Vehicles**— Vehicles being imported, originally manufactured for use in other countries. These vehicles may have foreign emission labels and/or foreign safety labels, or no labels.
- **Vehicles that Meet U.S. EPA and California Emission Certification Standards (50-State Vehicles) and are so labeled**— These vehicles can be registered regardless of the odometer mileage.
- **49-State Vehicles**—A vehicle manufactured to be first sold in all states except California and meets only federal emission standards. These vehicles **cannot** be registered to a California resident who acquired or purchased the vehicle with less than 7,500 odometer miles unless the owner qualifies for an exemption, as explained in *Registration Manual* §27.020).

NOTE: The *Direct Import Guidebook* is **obsolete**. *Polk's Canadian and International Registration Manual* has information on foreign documents and registration requirements previously found in the *Direct Import Guidebook*.

Registration and/or Titling Requirements— All imported vehicles require the usual nonresident registration documentation outlined in this chapter. **In addition**, an application for registration of a imported vehicle **must** include the following customs, safety, and emissions standards:

- Evidence the vehicle has cleared U.S. Customs. U.S. Customs forms 7501, 3461, 6059, 3299, or 3311, stamped or endorsed by U.S. Customs are acceptable.

NOTE: Suspense applications with forms other than those listed showing the vehicle has cleared U.S. Customs to the Technical Compliance Unit (TCS) in Sacramento Headquarters.

- Evidence of compliance with U.S. Federal Motor Vehicle Safety Standards (FMVSS) unless the

vehicle is 25 or more years old. Satisfactory evidence is one of the following:

- The Federal Certification Label affixed to the vehicle certifies the vehicle conforms to all U.S. Federal Motor Vehicle Safety Standards (FMVSS).
- A copy of the letter from the manufacturer certifying the vehicle complies with U.S. FMVSS and U.S. Emissions Standards. (This is usually attainable *only* for vehicles from Canada.)

NOTE: Accept a manufacturer's letter that states, "the vehicle complies with U.S. FMVSS and U.S. Emissions Standards except for minor labeling." The Technical Compliance Section will determine if there are additional requirements.

- A copy of the U.S. Department of Transportation (DOT) bond release letter issued by the National Highway Traffic Safety Administration (NHTSA).
- A Certificate of Conformance issued by a California Air Resources Board (ARB) licensed laboratory.
- Evidence of compliance with U.S. EPA and/or California emission standards. Any of the following are acceptable:
 - A U.S. EPA and/or California emission label affixed to the vehicle.
 - A Certificate of Conformance issued by a laboratory licensed by the ARB. No smog certification is required if this document is submitted for original registration.
 - A letter from the manufacturer stating the vehicle complies with U.S. FMVSS and U.S. Emissions requirements (usually only attainable for Canadian vehicles).
- If the vehicle is a 1968 or newer year model auto or commercial vehicle or a 1978 or newer year model motorcycle that does **not** comply with U.S. emission requirements and/or is a vehicle less than 25 years old that does **not** comply with U.S. FMVSS, refer the customer to the ARB at (800) 242-4450 or e-mail at helpline @ arb.ca.gov.

NOTE: A manufacturer's letter that states "the vehicle complies with U.S. FMVSS and U.S. Emissions Standards except for minor labeling" is acceptable. The Technical Compliance Section will determine any additional requirements

- **Direct Import Vehicles**— Determine if the vehicle record **must** be branded "NON-USA" from the following table.

If...	then the vehicle record...
the vehicle has a U.S. Federal Certification Label (safety label) and a U.S. emission label affixed to it by the manufacturer	is not branded "NON-USA."
the vehicle does not have a U.S. Federal Certification Label (safety label) or a U.S. emissions label affixed to it by the manufacturer	must be branded "NON-USA."
available information indicates someone other than the manufacturer affixed the emission or safety label to the vehicle (a registered importer, an ARB laboratory, or an independent commercial importer, for example)	Key a "G" in the PRIOR HIST field on the DATA COLLECT screen and suspense the application to the Technical Compliance Section (TCS) in Sacramento Headquarters.

- A smog certification, if normally required.
- Collect the fees due and issue a Temporary Operating Permit (REG 19) in accordance with *Registration Manual* §9.010.
- Suspend all applications to the Technical Compliance Section (TCS), Registration Processing Unit (RPU) I, in Sacramento Headquarters. The TCS will determine if any requirements are

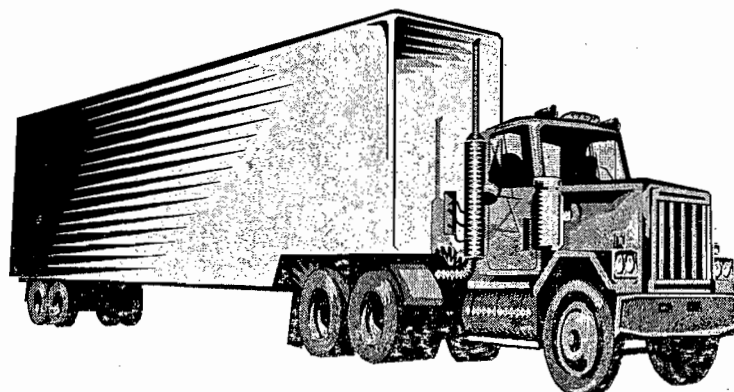
- needed and contact the customer directly.
- Advise the customer that the final determination as to whether the vehicle can be registered will be made by Sacramento Headquarters

NOTE: There are no Air Resources Board programs to convert new vehicles (less than two years old), motorcycles, off highway vehicles (OHV), and diesel-powered vehicles to *California emission standards*. *Vehicles that cannot be converted to comply with U.S. safety* and U.S. and/or California emission standards **cannot** be registered for on-highway or off-highway use.

Refer customers who have questions or need assistance about direct import vehicles to the department's Technical Compliance Section at (916) 657-6795, the Air Resources Board at (800) 242-4450, or visit the website of the National Highway Traffic Safety Administration at www.nhtsa.gov.



CALIFORNIA INTERNATIONAL REGISTRATION PLAN (IRP)



IRP HANDBOOK

(5)

CHAPTER 4 CALIFORNIA SPECIFIC IRP REQUIREMENTS

ORIGINAL IRP APPLICATIONS

4.000 Introduction

This chapter covers the specific forms and requirements for new California IRP applicants.

4.005 Requirements for Original IRP Applications

An original IRP application requires submission of the following documents:

- California IRP Carrier Information - Schedule A/B, Reg. 2117 IRP, (Rev. 7/2003). Hereafter this form will be referenced as Schedule A/B. Refer to Section 4.010.
- Established Place of Business-Documentation. Refer to Section 4.015.
- California IRP Vehicle Data - Schedule C, Reg. 2118 IRP, (Rev. 7/2003). Hereafter this form will be referenced as Schedule C. A sample of this form is included in Chapter 13. Refer to Section 4.020.
- Proof of Payment or Exemption of Federal Heavy Vehicle Use Tax (FHVUT). Refer to Section 4.025.
- Agreement To Prepare And Maintain Records And Report Information In Accordance With International Registration Plan And California Apportionment Requirements, Reg. 522, (Rev. 9/94). Refer to Section 4.030.
- Vehicle Identification Number (VIN) verification for the vehicles registered in the fleet. Refer to Section 4.035.
- Evidence of International Fuel Tax Registration. Refer to Section 4.045.
- Vehicles within the application must be free of any preexisting law enforcement violations or vehicle license & titling stops. Refer to Sections 4.055.

The following documents may also be required under the condition specified:

- Copy of lease agreement - If the registrant is a motor carrier lessee fleet registering vehicle(s) under a lease agreement with one or more owner-operators, a copy of the lease agreement is required to be submitted for each leased vehicle registered in the fleet. Refer to Section 4.040.
- Authorization for Registration Service Agent Representation (if applicable). See Section 1.025.

CHAPTER 4 CALIFORNIA SPECIFIC IRP REQUIREMENTS

ORIGINAL IRP APPLICATIONS

4.010 California IRP Carrier Information-Schedule A/B, Reg. 2117 IRP

California IRP Carrier Information - Schedule A/B form is used to report all of the carrier demographic information that will be needed to identify the IRP carrier account information. The form comes with a tear off instruction sheet. Follow those instructions when completing the form.

This form must also be completed and submitted when there are any changes to the carrier name, business or mailing addresses, or other demographic information.

The Schedule B, Mileage Report side is required for all original, renewal, and jurisdiction (state) addition applications. Refer to Chapter 3 for detailed mileage reporting requirements.

4.015 Established Place of Business-Documentation

The following documentation is required to be submitted to substantiate the business address:

Registrant:

- Photocopy of rent receipts or mortgage payments that indicate the physical business address.

Owner-Operator:

- Photocopy of rent receipts or mortgage payments that indicate the business address.*

or

- California commercial driver license number(s) issued to the owner-operator and driver(s) (IRP Agreement Article IX, Section 906).

* If an owner-operator registrant is unable to produce rent receipts in their own name, a statement of facts, stating the owner-operator resides at that address signed by the person whose name appears on the receipt is required.

CHAPTER 4. CALIFORNIA SPECIFIC IRP REQUIREMENTS

ORIGINAL IRP APPLICATIONS

4.020 California IRP Vehicle Data – Schedule C Reg. 2118 IRP

California IRP Vehicle Data – Schedule C (Reg. 2118) IRP is used to report all of the data needed by DMV and law enforcement to identify vehicles and their operating weights. The form comes with a tear off instruction sheet. Follow those instructions when completing the form.

Purchase Price and Date

The Vehicle License Fee (VLF) portion of the California fees is based on the purchase price and purchase date of the vehicles.

In accordance with California Revenue and Taxation Code Section 10753, the reportable purchase price must reflect the cost price to the current owner. It includes the delivery charge, **federal excise tax**, and value of any accessories (e.g., refrigeration unit, lift gate, etc.) added to the vehicle, any cash that changed hands, and trade-in and other considerations, but excludes license fees, interest or finance charges, and any sales or local tax.

4.025 Federal Heavy Vehicle Use Tax (FHVUT) (CVC Section 4750)

Proof of payment of Federal Heavy Vehicle Use Tax (FHVUT) is required prior to registration of California based commercial motor vehicles (including buses) operating at a combined gross vehicle weight of 55,000 pounds or more. Vehicles that are qualified for California and all foreign IRP jurisdiction operation at maximum operating weights less than 55,000 pounds are not required to submit proof of payment of the tax.

For apportion registered vehicles, proof of payment is submitted to the base state only. Proof of payment is required only once during the registration period. Tax is paid to the Internal Revenue Service.

CHAPTER 4 CALIFORNIA SPECIFIC IRP REQUIREMENTS

ORIGINAL IRP APPLICATIONS

4.025 Federal Heavy Vehicle Use Tax (FHVUT) (Continued)

(Cont'd) Acceptable proof of payment

One of the following is required for proof of payment for FHVUT:

- Original or photocopy of Schedule 1, Form 2290 or 2290-EZ, stamped received by the Internal Revenue Service,

or

- Copy of Schedule 1, Form 2290 or 2290-EZ filed with the Internal Revenue Service and a photocopy of the front AND back of the **canceled** check payable to the IRS covering payment of the tax.

or

- Original Form 2290 or 2290-EZ with Schedule 1 and an original check made payable to the IRS for the tax due accompanied by a stamped, pre-addressed envelope to the IRS. The department will note the tax payment and mail the tax filing documents to the IRS for the customer.

WHEN PROOF OF PAYMENT OF FHVUT IS NOT REQUIRED

The following are the only acceptable situations where proof of payment of FHVUT is not required:

When a vehicle is qualified for California and all qualified foreign IRP jurisdictions at a maximum operating weight of 54,999 pounds or less.

or

If an application for registration or transfer of a new or used vehicle is submitted in the new owner's name within 60 days of the date of purchase or transfer,

or

If a vehicle has a currently valid alternative form of California registration which is being converted to IRP registration.

Any questions regarding specific tax regulations or completion of the Form 2290 should be directed to the Internal Revenue Service.

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ORIGINAL IRP APPLICATIONS

4.030

Agreement To Prepare And Maintain Records And Report Information In Accordance With International Registration Plan And California Apportionment Requirements - REG. 522 (CVC Section 8057 and IRP Article XV)

All IRP applicants are required to read, understand, and adhere to the record keeping provisions of the IRP Agreement. The specific record keeping requirements are printed on this form and the form must be completed and signed by an authorized company official before any California IRP operating authority is granted to the applicant. A registration service agent may not sign this form.

Failure to maintain records according to the provisions of the IRP Agreement and the California Vehicle Code may result in the assessment of substantial fees and penalties. See Chapter 9 for complete record keeping and audit requirements.

A copy of this form is included in Chapter 13 *IRP Forms and Documents*.

4.035

Vehicle Identification Number (VIN) Verification

A form of VIN verification is required to be submitted for each power vehicle registered on the IRP fleet. **Exceptions:** VIN verification is not required for a vehicle if the year model is the same as or greater than the registration year. One of the following documents must be submitted for VIN verification purposes:

1. Vehicle Verification Form (REG. 31) completed by a DMV employee, peace officer or licensed vehicle verifier
2. A legible photocopy of the last issued vehicle ownership certificate (title)
3. A legible photocopy of the Manufacturer's Certificate of Origin
4. A legible photocopy of the last issued base state cab card or vehicle registration certificate
5. A notarized Bill of Sale

4.040

Motor Carrier Lessee Fleet, Lease Agreements

California requires verification of a lease agreement between a lessor owner-operator and the lessee motor carrier when a vehicle is added to an IRP motor carrier lessee fleet.

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ORIGINAL IRP APPLICATIONS

4.045 International Fuel Tax Agreement (IFTA) Number (CVC Section 8056)

If an IFTA account has been issued to the applicant, the account number must be reported on the Schedule A/B application form in the space labeled "IFTA Number".

If an IFTA account has been applied for but not yet issued, enter "applied for" in the IFTA number space on Schedule A. The IFTA account number must be reported to the DMV Headquarters IRP Unit once it has been issued.

4.050 U.S. Department of Transportation Number (U.S. DOT)

If an U.S. Department of Transportation number has been issued to the applicant, the US DOT number must be reported on the Schedule A/B application form in the space labeled "US DOT Number".

If an US DOT number has been applied for but not yet issued, enter "applied for" in the US DOT number space on the Schedule A. If carrier has not been issued a U.S. DOT number, enter the U.S. DOT number under which the carrier is operating.

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ORIGINAL IRP APPLICATIONS

4.055

Preexisting Vehicle Violations or Stops

IRP personnel will run a check of the DMV vehicle registration records by vehicle identification number for every vehicle added to a new or existing IRP fleet. Vehicles that have previously been issued parking violations or owner's responsibility citations may not be issued authority to operate in California or foreign jurisdictions unless, and until, the preexisting violations or stops have been satisfactorily cleared.

Parking Violations:

If a vehicle has a parking violation on record when it is added to the fleet and the registered owner name on the citation record matches, or closely resembles, the IRP registrant name or the name of the person leasing the vehicle to the IRP registrant, the vehicle cannot be added to the fleet unless the parking violation bail is also paid with the IRP application or the applicant presents a "Notice of Disposition of Parking Violation" (Reg. 194R) issued by the court or parking agency of jurisdiction. The Department may appropriate the violation bail amount from the fees deposited with the IRP application in order to discharge the outstanding violations.

If the IRP registrant name, or the name of the person leasing the vehicle to the IRP registrant, cannot be construed as being the same person as the registered owner of the vehicle to which the citation was issued and the IRP Schedule C Vehicle Data form indicates that the current owner's purchase date is after the date of the citation, the vehicle may be added to the fleet without payment of the parking bail or proof of payment to the court or parking agency.

Owner's Responsibility Violations:

If a vehicle has an owner's responsibility violation on record when it is added to the fleet and the registered owner name on the citation record matches, or closely resembles, the IRP registrant name or the name of the person leasing the vehicle to the IRP registrant, the vehicle cannot be issued IRP operating authority unless, and until, the applicant can present the required Abstract of Court Release (DL106R) issued by the court of jurisdiction and also pays the \$7 service fee.

If the IRP registrant name, or the name of the person leasing the vehicle to the IRP registrant, cannot be construed as being the same person as the registered owner of the vehicle to which the citation was issued and the IRP Schedule C Vehicle Data form indicates that the current owner's purchase date is after the date of the citation, the vehicle may be added to the fleet without the required court clearance and service fee.

CHAPTER 4 CALIFORNIA SPECIFIC IRP REQUIREMENTS

ORIGINAL IRP APPLICATIONS

4.060 Vehicles With Prior IRP Audit Fee Lien Perfection Stops

The Department may withhold the issuance of IRP indicia or temporary operating authority for any vehicles operated as part of the fleet and on any other fleet vehicles operated by the registrant when there are outstanding audit fees due (CVC Section 8201).

4.065 Continuous Registration Requirement

California requires IRP registrants to maintain "continuous registration". "Continuous registration" means having no lapses of registration months when renewing existing California IRP registration or when an applicant changes their base IRP jurisdiction from a foreign IRP member jurisdiction to California.

4.070 Failure to Submit Documents with Completed Information

All documents required to be submitted with IRP registration applications are mandated by California statute or the IRP Agreement. No IRP license plates, stickers, or cab cards will be issued for IRP applications until all required documentation has been submitted (CVC Section 4751).